
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

TAMRA STEPHENSON,

Plaintiff,

v.

MIDLAND CREDIT MANAGEMENT
and TIM BOLIN,

Defendant.

**ORDER TAKING
UNDER ADVISEMENT
DEFENDANTS' MOTION FOR
JUDGMENT ON THE PLEADINGS**

Case No. 4:21-cv-00020-DN-PK

District Judge David Nuffer

After reviewing Defendants' Motion for Judgment on the Pleadings ("Motion");¹ Plaintiff's Memorandum in Opposition to Motion for Judgment on the Pleadings ("Opposition");² and Defendants' Reply in Support of their Joint Motion for Judgment on the Pleadings ("Reply"),³

IT IS HEREBY ORDERED that the Motion is taken under advisement.

IT IS FURTHER ORDERED that on or before July 30, 2021, Defendants shall, consistent with [DUCivR 54-1\(b\)](#), submit a draft order to dj.nuffer@utd.uscourts.gov, and file a PDF version under the event "Notice of Filing." The draft order shall:

- a. grant the Motion in part, and deny the Motion in part, dismissing the First Cause of Action without prejudice for failure to state a claim, on the basis that the letters attached to the Opposition and attached to Defendant's Answer to Plaintiff's

¹ [Docket no. 15](#), filed May 18, 2021.

² [Docket no. 20](#), filed June 1, 2021.

³ [Docket no. 23](#), filed June 15, 2021

Complaint,⁴ and referenced in the Complaint,⁵ and alleged related conduct, do not violate the Fair Debt Collection Practices Act, on the grounds argued in the Motion and Reply; and

- b. dismissing the other cases of action without prejudice due to lack of subject matter jurisdiction over those state law claims after the cause of action raising a federal question is dismissed.

IT IS FURTHER ORDERED that the draft order shall be created using the template at <https://www.utd.uscourts.gov/sites/utd/files/order3.docx>, and may follow the examples given in the Proposed Order section of <https://www.utd.uscourts.gov/judge-nuffer-chambers>. Specific examples of orders granting motions for judgment on the pleadings are:

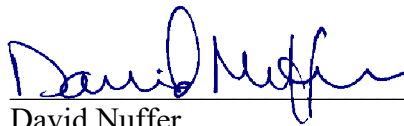
63 MEMORANDUM DECISION AND WRITTEN ORDER on 21 Motion for Judgment on the Pleadings, [4:19-cv-00027-DN](#), *Chilcoat v. San Juan County et al.*

102 MEMORANDUM DECISION AND ORDER Granting 64 San Juan County Defendants' Motion for Judgment on the Pleadings, [2:17-cv-00082-DN](#), *Young et al v. Young et al.*

66 MEMORANDUM DECISION AND ORDER granting 52 Motion for Judgment on the Pleadings, [2:16-cv-00744-DN](#), *Hansen et al v. JP Morgan Chase Bank, N.A. et al.*

Signed July 12, 2021.

BY THE COURT



David Nuffer
United States District Judge

⁴ [Docket no. 7](#), filed April 19, 2021.

⁵ [Docket no. 2](#), filed February 12, 2021.